

13 MAR 2006  
10/531431

<b>PETITION UNDER 37 C.F.R. § 1.47(a)</b>	Application #	10/531,431 National Stage of PCT/GB03/004377
	Confirmation #	
	Filing Date	15 April 2005
	First Inventor	JEAL
	Art Unit	
	Examiner	
	Docket #	P08620US01/BAS

## RECEIVED

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

9 MAY 2006

SIR:

Legal Staff  
International Division

Pursuant to the provisions of 37 C.F.R. § 1.47(a), Applicants hereby petition to have the Oath from one of the two inventors in the above case accepted in the absence of the Oath from the second inventor who has refused to sign an Oath of the above application.

In the present case, Applicants have previously made diligent attempts to obtain the signature of both of the inventors but have yet been unable to obtain the signature for the Oath from inventor George Mudie, as set forth in detail below.

As reflected in the attached Declaration Under 37 CFR §1.47(a) of Simon Harries of Assignee, Vodafone, the inventors David Jeal and George Mudie were advised on the US filing of the present application, and both were sent copies of the Assignment and Oath, but only Mr. Jeal executed and returned these documents. As reflected in the attached Declaration, inventor Mudie was fully aware of the specification of the US patent application and had reviewed this application in conjunction with his interaction with the Declarant, Simon Harries of the Assignee, at the time that the application was finalized in accordance with the original PCT filing. The Oath and Assignment were sent to Mr. Mudie's last known address, which is indicated below, and he has failed to respond to any correspondence and continues to refuse to execute the Oath for this application. Consequently, no executed Oath or Assignment has been received from him. As reflected

in the attached Declaration, Mr. Mudie was a former employee of Assignee, but no longer works for the Assignee, and his departure from the company was not on good terms.

The last known addresses of the inventor George Mudie who refused to execute the Declaration is as follows:

George Mudie, 2 Lawrences Lane, Thatcham RG18 3 LF, Great Britain

Accordingly, under CFR § 1.47(a), Applicants have shown that inventor Mudie refuses to join in the application by submitting an executed Oath despite the diligent efforts to have him do so, as reflected in the attached Declaration and attachments thereto which is sufficient to show the necessary facts regarding this refusal.

In light of the above evidence and the evidence provided herein, Applicants have provided the necessary information for the Patent Office to accept the Oath in this case from one of the two inventors pursuant to 37 CFR 1.47(a). The Declaration from inventor Jeal is being submitted herewith. The required fee under 37 CFR 1.47(a) is also being paid herewith

Should there be any questions, or should the Examiner require any additional information, a telephone call to the undersigned is welcomed.

Respectfully submitted,

STITES & HARBISON PLLC



B. Aaron Schulman  
Registration No. 31877

Dated: March 13, 2006

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**DECLARATION UNDER  
37 C.F.R. § 1.47(a)**

Application #	10/531,431 National Stage of PCT/GB03/004377
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

On behalf of the Assignee of the present application, Vodafone Group Plc, the undersigned states that in order to obtain an executed Declaration in conjunction with the above application, I advised both inventors of the filing of the U.S. patent application and sent copies of the Inventors' Oath and Assignment to both inventors of the above application, namely David Jeal and George Mudie. Although the executed Oath and Assignment was obtained from inventor David Jeal, no Oath or Assignment was ever obtained from inventor George Mudie despite the fact that this information, Oath and Assignment were sent to Mr. Mudie at his last known address by registered mail, and we have received confirmation that these documents were indeed delivered to Mr. Mudie's last known address. Despite several approaches, no response to any of our attempts to contact Mr Mudie have been received. A copy of the receipt showing that this information, Oath and Assignment were delivered to Mr. Mudie's last known address is attached hereto. I am aware that Mr. Mudie used to work for the Assignee of the present application, Vodafone Group Plc, but that he no longer works for the Assignee, and his departure from the company was not on good terms.

Mr. Mudie is fully aware of and has reviewed the specification of this U.S. patent application. He and I worked together to finalize the specification of the PCT patent application from which the U.S. patent application is derived.

The last known addresses of the inventor George Mudie who refused to execute the Declaration is as follows:

2 Lawrences Lane, Thatcham RG18 3 LF, Great Britain      Therefore, despite the fact that the this information, Oath and Assignment were provided to inventor Mudie at his last known address, he has failed to respond to any correspondence and continues to refuse to execute the Oath for this application. Consequently, no executed Oath or Assignment has been received from him.

I hereby state that all statements made herein based on my own personal knowledge are true and correct and that all statements based on my information and belief are true and correct to the best of my knowledge, and further that all of these statements have been made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

8<sup>th</sup> March 2006  
Date

By:   
Name: Simon Harries

Title: Senior Patent Attorney,  
Vodafone Group services Limited

> Product A-Z   Quickfinder   Make your selection   Search   Search   Go ▶

 Royal Mail

Home   Track and trace   Sending tracked mail   Tracking your mail   Advertisers and Agencies   Home Shopping   Government and Health sector   Publishing sector   Small Businesses   For you at home   Stamps & collecting

Postcode/Address Finder ▶   Postal Prices   Track & Trace   Customer Service ▶

Delivered

Please enter your 13 digit reference number  
e.g. AA 0001 0001 9GB   Track item ▶

How to find your reference number ▶

Advertisers and Agencies

How to find your reference number ▶

SENDING important or valuable mail

Choose the right service

Log in or register here

Email:

Password:

Register ▶ Log in ▶

What do you want to do?

What do you want to do?

Your item with reference ZH558762659GB was delivered from our THATCHAM Delivery Office.

Thank you for using this service.

We can confirm that this item was delivered before the guaranteed time.

TRACKING important or valuable mail

Do you need help?

It says "Delivered" but it hasn't arrived

My item arrived but the contents were missing

My item arrived damaged

How can I get my item there quicker next time?

Who signed for my item?

Wickens, Glynis, VF-Group

**From:** Baylay, David, The-Corps [David.Baylay@gb.vodafone.co.uk]  
**Sent:** 21 February 2006 15:23  
**To:** Wickens, Glynis, VF-Group  
**Cc:** HQ Mail Room  
**Subject:** FW: registered letter

Hi Glynis,

I do indeed have a record of this transaction.

The item was sent on Tuesday 14Jun 05.

Tracking No is:

ZH 5587 6265 9GB.

Royal Mail has a web site through which you can pursue any enquiries.

Best Regards,

David.